

Assembly Bill No. 296

Passed the Assembly August 30, 2005

Chief Clerk of the Assembly

Passed the Senate August 25, 2005

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 5008.2 to the Penal Code, relating to hepatitis C.

LEGISLATIVE COUNSEL'S DIGEST

AB 296, Negrete McLeod. Hepatitis C.

The existing Hepatitis C Education, Screening, and Treatment Act requires the Director of Corrections to perform various functions and duties with respect to testing and treatment of individuals in the correctional system for hepatitis C. Existing law requires the director to provide the budget subcommittees of the Legislature, on or before March 1, 2002, with an annual statistical report on the prevalence of the hepatitis C virus in correctional facilities and trends in the incidence and prevalence of the hepatitis C virus in the correctional system. Existing law implements these provisions only to the extent funds for this purpose have been appropriated in the annual Budget Act.

This bill would require the Department of Corrections and Rehabilitation to make hepatitis C screening available without copayment to an inmate, make testing confidential, and make available hepatitis C information for all inmates upon intake examination or while providing general information.

The people of the State of California do enact as follows:

SECTION 1. Section 5008.2 is added to the Penal Code, to read:

5008.2. (a) During the intake medical examination or intake health screening, or while providing general information during intake, the department shall provide all inmates with information on hepatitis C, including, but not limited to, methods of hepatitis C transmission and prevention, and information on opportunities for screening and treatment while incarcerated. This subdivision shall be implemented only to the extent that brochures, other printed information, or other media is provided at no charge to the department by public health agencies or any other organization promoting hepatitis C education.

(b) The department shall also provide hepatitis C screening to all inmates who request it, and offer it to inmates that have a history of intravenous drug use or other risk factors for hepatitis C. This testing shall be confidential. The medical copayment authorized in Section 5007.5 shall not be charged for hepatitis C testing, treatment, or any followup testing.

Approved _____, 2005

Governor